

House Resolution 104 - Introduced

HOUSE RESOLUTION NO. 104

BY HOLT

1 A Resolution conferring authority upon the standing
2 Committee on Judiciary to conduct an investigation
3 into the conduct of the chairperson, Judge Kurt
4 J. Stoebe, of the Judicial District 2B Judicial
5 Nominating Commission and all matters reasonably
6 related thereto.

7 WHEREAS, allegations of improper conduct and
8 improper influence by chairperson Judge Kurt J. Stoebe
9 have arisen during deliberations of the Judicial
10 District 2B Judicial Nominating Commission for the
11 nomination of District Judge in October of 2021; and

12 WHEREAS, Judge Kurt J. Stoebe's alleged improper
13 conduct and improper influence resulted in concerns
14 about the legitimacy of the Judicial District 2B
15 Judicial Nominating Commission that Judge Kurt J.
16 Stoebe chaired; and

17 WHEREAS, the concerns resulted in the Governor's
18 determination that the process of the Judicial District
19 2B Judicial Nominating Commission during October of
20 2021 did not meet required professional standards and
21 therefore, had to be repeated; and

22 WHEREAS, Judge Kurt J. Stoebe subsequently resigned
23 as chairperson and member of the Judicial District 2B
24 Judicial Nominating Commission; and

25 WHEREAS, the standing Committee on Judiciary
26 is empowered, pursuant to Iowa Code sections 2.15
27 and 2.23, to request information and to conduct
28 investigations with authority to call witnesses,

1 administer oaths, issue subpoenas, and cite for
2 contempt; NOW THEREFORE,

3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
4 the standing Committee on Judiciary is authorized to
5 conduct an investigation into issues relating to the
6 conduct of Judge Kurt J. Stoebe, Chairperson of the
7 Judicial District 2B Judicial Nominating Commission in
8 October of 2021, during the nomination process for the
9 Office of District Judge; and

10 BE IT FURTHER RESOLVED, That the investigation shall
11 be conducted in accordance with the full authority
12 granted the standing Committee on Judiciary by law
13 including but not limited to the authority to conduct
14 the investigation, call witnesses, administer oaths,
15 issue subpoenas, cite and impose punishment for
16 contempt, and otherwise exercise and enforce these
17 investigative powers as authorized by and in accordance
18 with law, subject to the following:

19 1. The scope of the investigation shall be confined
20 to investigating the facts and circumstances regarding
21 the allegations of improper actions by Judge Kurt
22 J. Stoebe during the Judicial Nominating Commission
23 nominations process in Judicial District 2B for the
24 Office of District Judge in October of 2021.

25 2. Subpoena authority conferred by this resolution
26 shall exist for a 90-day period following the date of
27 passage of this resolution.

28 3. A citation and punishment for contempt may be
29 issued and imposed according to the following schedule:

30 a. An initial citation may be issued by the

1 standing Committee on Judiciary by a majority vote of
2 the members of the committee and is punishable by a
3 fine of \$500.

4 b. A second or subsequent citation may be issued by
5 the standing Committee on Judiciary by a majority vote
6 of the members of the committee and is punishable by a
7 fine of \$1,000.

8 c. In addition to the fines authorized pursuant to
9 paragraphs "a" and "b", the House of Representatives
10 may by resolution impose a punishment of imprisonment
11 for a period of up to six months.

12 4. Subpoenas and citations for contempt shall be
13 signed by the Speaker of the House of Representatives
14 and the Chairperson of the standing Committee on
15 Judiciary. Warrants for contempt shall be signed by
16 the Speaker of the House of Representatives and the
17 Chairperson of the standing Committee on Judiciary.

18 BE IT FURTHER RESOLVED, That the standing Committee
19 on Judiciary may meet at such times and at such
20 places as the Chairperson of the Committee deems
21 necessary; and

22 BE IT FURTHER RESOLVED, That the investigation shall
23 continue until completed, or until such time as the
24 investigation is terminated by the standing Committee
25 on Judiciary by majority vote of the members of the
26 committee.